

REMARKS

The above amendments to the above-captioned application along with the following remarks are being submitted as a full and complete response to the Office Action dated November 19, 2008. In view of the above amendments and the following remarks, the Examiner is respectfully requested to give due reconsideration to this application, to indicate the allowability of the claims, and to pass this case to issue.

Status of the Claims

As outlined above, claims 1-3, 6-7, and 18 stand for consideration in this application, wherein claims 4-5 are being canceled without prejudice or disclaimer, while claim 1 is being amended. Claims 8-17 stand withdrawn from consideration in this application.

All amendments to the application are fully supported therein. Applicants hereby submit that no new matter is being introduced into the application through the submission of this response.

35 U.S.C. §102(b) Rejections

Claims 1-7 and 18 were rejected under 35 U.S.C. §102(b) as being anticipated by Yunan (U.S. Pat. No. 5,632,348). Also, claims 1-7 and 18 were rejected under 35 U.S.C. §102(b) as being anticipated by Beaverson (U.S. Pat. No. 5,040,463). As mentioned above, claims 4-5 are being cancelled. Applicants respectfully traverse the rejections of claims 1-3, 6-7, and 18 for the reasons set forth below.

According to the M.P.E.P. §2131, a claim is anticipated under 35 U.S.C. §102 (a), (b), and (e) only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.

Claim 1

In a method for detonation of a blasting charge as recited in claim 1, the blasting charge is in a fluid environment, and is placed inside a hollow body, and the hollow body is arranged so as to be deformed under influence of a number of alternating or pulsating high and low pressures of the fluid environment, and a detonation triggering unit inside the hollow body is activated under subsequent contact with the fluid environment as a consequence of the hollow body being deformed. Pellet metal in the hollow body is compressed and stretched repeatedly by a counter-effect and co-operating effect of a spring in connection to

the hollow body so as to bring about a fatigue fracture in a solid metal material of the hollow body and open for access to the detonation triggering unit.

In contrast, Yunan merely shows that a housing 94 extending upwardly from a shell 64 contains a fluid medium 99 which serves as a transmission means for conveying a pressure wave or pulse to a rupture disc 68. (See col. 7, lines 58-60.) As shown in Fig. 7, Yunan's device does not include any spring. Yunan does not show or suggest a spring that repeatedly causes compressing and stretching of the rupture disc 68 by a counter-effect and co-operating effect of the spring in connection to a shell 64. Accordingly, Yunan CANNOT and does not show or suggest that pellet metal in the hollow body is compressed and stretched repeatedly by a counter-effect and co-operating effect of a spring in connection to the hollow body so as to bring about a fatigue fracture in a solid metal material of the hollow body and open for access to the detonation triggering unit

Beaverson merely shows that the force of the high pressure gas moves a firing pin 24 forwardly, and the firing pin impacts a detonator 14 with a forwardly disposed pointed end portion 40. As shown in Figs. 1-2, Beaverson's device does not include any spring. Accordingly, Beaverson CANNOT and does not show or suggest that pellet metal in the hollow body is compressed and stretched repeatedly by a counter-effect and co-operating effect of a spring in connection to the hollow body so as to bring about a fatigue fracture in a solid metal material of the hollow body and open for access to the detonation triggering unit

Therefore, neither Yunan nor Beaverson shows every element recited in claim 1. Accordingly, claim 1 is not anticipated by Yunan or Beaverson.

Claims 2-3, 6-7, 18

As to dependent claims 2-3, 6-7, and 18, the arguments set forth above with respect to independent claim 1 are equally applicable here. The corresponding base claim being allowable, claims 2-3, 6-7, and 18 must also be allowable.

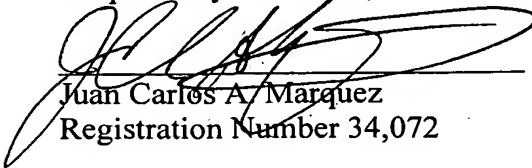
Conclusion

In light of the above-noted Amendments and Remarks, Applicants respectfully request early and favorable action with regard to the present application, and a Notice of Allowance for all pending claims is earnestly solicited.

Favorable reconsideration of this application as amended is respectfully solicited. Should there be any outstanding issues requiring discussion that would further the prosecution and allowance of the above-captioned application, the Examiner is invited to

contact the Applicants' undersigned representative at the address and phone number indicated below.

Respectfully submitted,



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